

- (b) 'appointing authority' in relation to any post means an authority empowered for the time being to make appointments to that post;
- (c) 'appointment' includes a permanent, quasi-permanent or temporary appointment but does not include an appointment of a casual nature;
- (d) 'post' means a post specified in the First Schedule;
- (e) 'prescribed date' in relation to a post means the last date fixed for making applications for appointment to that post;
- (f) 'Schedule' means a Schedule to these rules.

3. Requirement as to residence prior to appointment—(1) A person shall not be eligible for appointment to a post under the control of the Administrator of the Union territory of Himachal Pradesh, Manipur or Tripura, or to a post under a local authority (other than a cantonment board) in any such territory unless—

- (i) (a) either such person or the father of such person has been continuously residing in the Union territory concerned for a period of not less than three years immediately preceding the prescribed date; or
- (b) the father of such person, if dead, continuously resided in that territory for a period of not less than three years immediately preceding his death and such person has, after the death of his father, continued to reside in the said territory upto the prescribed date.

Provided that any period of temporary absence from such territory for the purpose of prosecuting his studies or for undergoing medical treatment or any period of such temporary absence not exceeding three months for any other reason, shall not be deemed to constitute a break in the continuity of such residence, but for the purpose of calculating the said period of three years any such period of temporary absence shall be excluded; and

- (ii) such person produces before the appointing authority concerned, if so required by it, a certificate of eligibility granted under these rules.

(2) In the case of the Union territory of Himachal Pradesh, for the purposes of sub-rule (1), any person who is employed under the Himachal Pradesh Administration or the Territorial Council of that Union territory in a post outside the said territory shall be deemed to be residing in the Union territory for any such period during which he has been holding such employment.

4. Eligibility certificate—(1) Any person desiring to obtain a certificate of eligibility under these rules may make an application to the authority specified in this behalf by the Administrator of the Union territory concerned (hereinafter referred to as the specified authority)

(2) Before granting such certificate, the specified authority may make such summary enquiry in respect of the application as it considers necessary.

(3) A certificate of eligibility granted under this rule shall be in the form prescribed in the Second Schedule.

(4) If the specified authority is satisfied either on a reference made to it in this behalf or otherwise that a certificate of eligibility has been obtained by misrepresentation as to any material fact or by fraud, that authority may, after giving an opportunity to the person concerned to be heard, and without prejudice to any other proceedings which may be taken against him, revoke the said certificate.

(5) Any person aggrieved by the decision of the specified authority refusing to grant him a certificate of eligibility or revoking the certificate of eligibility granted to him may, within thirty days from the date of communication to him of such decision, appeal to the Administrator or such authority as he may specify in this behalf.

(6) The decision of the Administrator or such authority where an appeal has been preferred to it or of the authority referred to in sub-rule (1) where no such appeal has been preferred, shall be final.

(7) Notwithstanding anything contained in sub-rule (6), any person who has been refused a certificate of eligibility or whose certificate of eligibility has been revoked under this rule may make a fresh application for the grant of such certificate if he fulfills the requirements as to residence laid down in rule 3.

5. Relaxation of rule 3.—(1) The Administrator may, in any exceptional case and for reasons to be recorded in writing, relax the provisions of rule 3.

(2) A quarterly statement of all cases of relaxations shall be published by the Administrator in the Gazette of the Union territory concerned in the form prescribed in the Third Schedule and copy of every such statement shall be forwarded to the Central Government.

THE FIRST SCHEDULE

[See rules 2(d) and 3]

Posts

(a) Any post (whether included in the cadre of a service or not) under the control of the Administrator of the Union Territory of Himachal Pradesh, Manipur or Tripura, which carries a scale of pay, the minimum of which does not exceed three hundred rupees per mensem or a fixed pay not exceeding that amount, and the appointment to which is not notified in the Official Gazette.

(b) The post of Tehsildar, by whatever name designated, under the control of any such Administrator.

(c) Any post (whether included in the cadre of a service or not) under a local authority (other than a cantonment board) in any such territory which carries a scale of pay the minimum of which does not exceed three hundred rupees per mensem or a fixed pay not exceeding that amount.

Explanation.—‘Pay’ means basic pay plus special pay, if any, sanctioned to a post but does not include various allowances.

THE SECOND SCHEDULE

(See rules 3 and 4)

Serial No.....

.....ADMINISTRATION.

.....Department.

....., dated the.....

Certificate of Eligibility

In pursuance of rules 3 and 4 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, Shri/Shrimati/Kumari....., son/wife/daughter of Shri..... of (full address)....., having furnished the necessary proof, is hereby certified to be eligible to hold any post included in the First Schedule to the said Rules.

Seal of the Issuing Authority.

Designation of the
Issuing Authority.

.....
(Signature or thumb impression of
the person to whom this certificate
has been issued.)

.....
(valid subject to regulations)

THE THIRD SCHEDULE

[See rule 5(2)]

In pursuance of sub-rule (2) of rule 5 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, it is published for general information that in relaxation of rule 3, the persons specified

in column 4 of the table below have been appointed during the quarter ending 19.....to the posts specified in column 2 of the said table in the Union territory of.....

TABLE

S. No.	Designation of Post	Name of Office	Name of person appointed	Reasons for relaxation of rule 3.
--------	------------------------	----------------	-----------------------------	--------------------------------------

[No. F. 40/1/58-Ests(A)-III.]

V. VISWANATHAN, Spl. Secy.

MINISTRY OF FINANCE

(Department of Revenue)

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 21st March 1959

G.S.R. 326.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Refund (Fixed Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

In the said Rules,—

For the entries shown against Serial No. 3 to the First Schedule, the following entries shall be substituted, namely:—

“Hydraulic brake fluid conforming to Indian Standard Specification I.S. 317 (1951).	One rupee and forty-one paise per Imperial gallon.”
-------------------------------------------------------------------------------------	-----------------------------------------------------

[No. 18/F. No. 34/196/58-Cus.IV.]

G.S.R. 327.—The following draft of a further amendment to the Customs and Central Excise Duties Refund (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule after item 19 and the entry relating thereto, the following shall be inserted, namely:—

“20. Chokes for fluorescent lamps.”

[No. 19/F. No. 34/37/59-Cus.IV.]

(Department of Revenue)

CUSTOMS

New Delhi, the 21st March 1959

G.S.R. 328.—The following draft of an amendment in the Customs Duties Drawback (Fixed Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the First Schedule to the said Rules, for the existing item 10 and the entries relating thereto, the following shall be substituted, namely:—

“10. Cough syrups

Per one hundred grams of the following ingredients contained in the cough syrup:—

Balsam tolu	Eighty naye paise.
Menthol	One rupee and twenty-eight naye paise.
Potassium antimony tartarate.	Thirty-one naye paise.
Potassium sulphoquaicolate.	Fifty-five naye paise.
Terpene hydrate	Twenty-six naye paise.”

[No. 49/F. No. 34/20/58-Cus.IV.]

G.S.R. 329.—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 296-Customs, dated the 6th December, 1958, namely:—

In the Schedule to the said notification, after entry 72, the following entry shall be added, namely:—

“73 Diamonds.”

[No. 50/F. No. 34/133/57-Cus.IV.]

G.S.R. 330.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following rules the same having been previously published as required under the said sub-section (3), namely:—

THE CUSTOMS DUTIES DRAWBACK (DIAMONDS) RULES, 1959

1. Short title.—These rules may be called the Customs Duties Drawback (Diamonds) Rules, 1959.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) “Act” means the Sea Customs Act, 1878 (8 of 1878);
- (b) “finished diamonds” means diamonds which have been produced by cutting, polishing and otherwise processing rough diamonds in India or the State of Pondicherry;
- (c) “rough diamonds” means uncut and unpolished diamonds, imported on payment of customs duty into India or the State of Pondicherry;
- (d) “wholesale market price” means the cash price in the wholesale market at the time and place of export of finished diamonds, or where a wholesale market for finished diamonds does not exist at such place, the cash price at such time at the place nearest to the place of export where such market exists.

3. Goods in respect of which drawback may be paid.—Subject to the provisions of the Act and these rules, a drawback shall be allowed in respect of rough diamonds which have been converted into finished diamonds and then exported from India or the State of Pondicherry by the importer of such rough diamonds, either in the form of finished diamonds or in the form of finished diamonds set in jewellery.

4. Rate of drawback.—The rate of drawback admissible under these rules on the export of the finished diamonds shall, subject to review at such intervals as the Central Government may deem necessary, be one-ninth of the wholesale market price of such diamonds.

5. Certain conditions for allowing drawback.—No drawback shall be allowed under these rules unless the exporter—

- (a) makes a declaration on the relative shipping bill that a claim for drawback under these rules is being made;
- (b) declares the wholesale market price of the finished diamonds being exported, on the shipping bill;
- (c) furnishes the Customs Collector with a copy of the shipment invoice or any other document giving details of the description, quantity and value of the finished diamonds being exported;
- (d) produces evidence to the satisfaction of the Customs Collector that rough diamonds of a value equal to five-ninths of the wholesale market price of the finished diamonds being exported, have been imported by him on or after the first day of April, 1958, and have not already been previously re-exported by him in the form of finished diamonds since that day; and
- (e) produces, if any such finished diamond weighs one carat or more, evidence to the satisfaction of the Customs Collector that a rough diamond of a size sufficient to yield a finished diamond of such weight has been imported by him on or after the first day of April, 1958 and has not already been re-exported by him in the form of a finished diamond since that day.

6. Powers of Customs Collector.—For the purposes of these rules, the Customs Collector may require the exporter or the manufacturer of finished diamonds to produce any books of account or other documents relating to the quantity and value of the rough diamonds used in the manufacture of the finished diamonds and the duty paid thereon.

7. Access to manufactory.—The manufacturer of the finished diamonds in respect of which a drawback is claimed under these rules shall give access to every part of the manufactory to any officer of the Central Government specially authorised in this behalf by the Chief Customs Officer or the Chief Customs Authority, to enable the officer so authorised to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 51/F. No. 34/133/57-Cus.IV.]

G.S.R. 331.—The following draft of a further amendment in the Customs Duties Drawback (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, the entry against Serial No. 2 of the First Schedule shall be deleted.

[No. 52/F. No. 34/37/59-Cus.IV.]

G.S.R. 332.—The following draft of a further amendment in the Customs Duties Drawback (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule, after item 17 and the entry relating thereto, the following shall be inserted, namely:—

“18. Microgroove records.”

[No. 53/F. No. 34/272/58-Cus.IV.]

G.S.R. 333.—The following draft of a further amendment in the Customs Duties Drawback (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 24th April, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule after item 18 and the entry relating thereto, the following shall be inserted, namely:—

“19. Aluminium Conductors and cables.”

[No. 55/F. No. 34/280/58-Cus.IV.]

G.S.R. 334—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, and in supersession of the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 33-Customs, dated the 19th February, 1955, the Central Government hereby exempts melton cloth proved to the satisfaction of the Customs Collector to be meant for use in the manufacture of tennis balls, when imported into India or the State of Pondicherry, from the whole of the customs duty leviable thereon.

[No. 56.]

G.S.R. 335—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June, 1935, namely:—

In the said notification, in Schedule I—Import Duties,

- (1) under the head A—General, serial numbers 1 and 9 and the entries relating thereto shall be omitted;
- (2) under the head H—Miscellaneous, serial numbers 78 and 81 and the entries relating thereto shall be omitted.

[No. 57.]

G.S.R. 336.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts unmanufactured mica, when imported into India or the State of Pondicherry, from the whole of the duty of customs leviable thereon.

[No. 58.]

G.S.R. 337.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts woollen waste and rags, when imported into India or the State of Pondicherry, from the whole of the duty of customs leviable thereon.

[No. 59.]

G.S.R. 338.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts black brick tea, the produce of China, when imported at Calcutta from a port in Burma, from the whole of the duty of customs leviable thereon.

[No. 60.]

M. A. RANGASWAMY, Dy Secy

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 21st March 1959

G.S.R. 339.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government hereby makes the following further amendments in the North Eastern India Salt Rules, 1939, published with the notification of the Government of India in the late Department of Finance (Central Revenues) No. 9-Salt, dated the 25th March, 1939, namely:—

“In the said rules, rule 6 shall be omitted.”

[No. 38/59.]

S. K. BHATTACHARJEE, Dy. Secy.

(Department of Revenue)

MEDICINAL AND TOILET PREPARATIONS

New Delhi, the 21st March 1959

G.S.R. 340.—In exercise of the powers conferred by section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955), the Central Government hereby makes the following further amendments in the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, namely:—

Amendments

In the said rules,—

1. In rule 2, after clause (xxiia), the following clause shall be inserted, namely:—
“(xxiib) “State Government” in rules 4 (1) and (2), 19, 30, 38(1), 50, 58(3), 60(2), 80, 82(ii), 96, 109, 112, 123(2), 127 and 132 of these Rules, shall, in relation to a Union territory, mean the Administrator thereof appointed under article 239 of the Constitution of India”;
2. In sub-rule (4) of rule 38, after the words “to the credit of”, the words “the Central Government (in the case of Union territories) or” shall be inserted; and

3. In Forms B—1, B—2(Sur.), B—2(Sec.), B—3(Sur.), B—3(Sec.), B—3(Gen. Sur.), B—3(Gen. Sec.), B—4(Sur.), B—4(Sec.), B—4(Gen. Sur.) and B—4 (Gen. Sec.), the words "Rajpramukh of" shall be omitted.

[No. 7.]

M. C. DAS, Dy. Secy.

CENTRAL EXCISE COLLECTORATE, ALLAHABAD

'Allahabad, the 16th February 1959

G.S.R. 341.—In exercise of the powers conferred by Rule 233 of the Central Excise Rules, 1944, the following supplemental instructions are issued for compliance by licensed manufacturers of Vegetable Non-Essential Oils:—

Time of issue of gate passes in form Central Excise, Series No. 65-A shall be recorded both in figures and words. The date and time of issue shall be the date and time of issue of Gate Pass itself and not otherwise.

[No. 1/1959.]

N. L. MEHTA, Collector.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 11th March 1959

G.S.R. 342—In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following amendment to the Import & Export Trade Control Organisation Class III Recruitment Rules, 1957, published with this Ministry's Notification No. 2/62/56-Admn/1660 dated the 11th March 1958 ; namely :—

In the Schedule to the said rules, for the entries in Column 10 against the item "Licensing Assistants" in column 1, the following entries should be substituted, namely :—

"25% by direct recruitment;

"75% by promotion on seniority-cum-merit basis."

[No. F. 6/(78)/58-Estt.IV.]

S. R. BANERJEE, Under Secy.

ORDER

New Delhi, the 12th March 1959

G.S.R. 343.—In exercise of the powers conferred by sub-sections (3) and (5) of section 30 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following amendment in the Tea (Distribution and Export) Control Order, 1957, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 3808, dated the 25th November, 1957, namely:—

In the said Order, for sub-clause (1A) of clause 18, the following sub-clause shall be substituted, namely:—

"(1A) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause."

[No. 32(11)Plant(A)/56.]

P. V. RAMASWAMY, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Communications)

New Delhi, the 10th March 1959

G.S.R. 344.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules for regulating the recruitment to Non-gazetted posts in the Posts and Telegraphs Directorate, namely :

1. These rules may be called the Posts and Telegraphs Directorate (Recruitment to Non-gazetted posts) Rules, 1958.
2. These rules shall apply to recruitment to the posts specified in item (1) of the Schedule to these rules, and the classifications, scale of pay, duties and the number of posts shall be as specified in items (2) to (5) of the said Schedule.
3. The age limits and the qualifications for recruitment to the posts aforesaid, the method of recruitment and other matters relating thereto shall be as specified in items (6) to (8) of the Schedule aforesaid.

THE SCHEDULE

(1) Name of post	Computer	Librarian	Staff Car Driver.
(2) Its classification (Whether Gazetted or non-Gazetted and whether Ministerial or Non-Ministerial).	G.C.S., Class III— Non-Gazetted— Non-Ministerial.	G.C.S., Class III— Non-Gazetted— Non-Ministerial.	G.C.S. Class III— Non-gazetted—Non-Ministerial.
(3) Scale of pay	Rs. 80—5—120— EB—8—200—10/2 —220.	Rs. 160—10—350.	Rs. 60—5/2—75.
(4) Duties	Compilation and scrutiny of Statistical data.	To be incharge of the Library and its proper maintenance. 2. Purchase of Publications, Periodicals etc. for use in the Library and miscellaneous work relating thereto. 3. All other miscellaneous work connected with the Library.	Driving and maintenance of staff car—maintenance of log book in respect of trips made by officers.
(5) No. of posts.	5	2	3
(6) Percentage of posts to be filled by :	100% by direct recruitment failing which by transfer from other offices.	100% by direct recruitment.	By selection from among the Class IV employees of the Posts and Telegraphs Directorate, failing which by direct recruitment. The quota allotted to the Scheduled Caste and Scheduled Tribe communities will be strictly given to them and if their quota cannot be filled by recruitment from among the Class
(i) Direct recruitment			
(ii) Promotion :—			
(a) By selection—			
(b) Seniority—cum-fitness.			
(iii) Transfer.			

IV staff of this Directorate they will be recruited from the Employment Exchange to make up their quota.

(7) For direct recruitment only :—

(a) Age limit —

18-25 years. Upper age limit relaxable for Scheduled Castes, Scheduled Tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

18-30 with usual relaxations for special categories as provided under Government orders from time to time.

Between 22-30 years with usual relaxations for special categories as provided under Government orders from time to time.

(b) Educational and other qualifications required.

Essential : Graduate with mathematics as one of the subjects for study.

Essential : Graduate with diploma in Library science from a recognized Institution or a certificate issued after one year's training.

Educational : A pass in Middle School Standard is a desirable qualification.

Desirable : Computer's certificate of a recognised Institute.

OR
at least one year's experience in computation of statistical data and handling calculating machines.

Desirable : Knowledge of French or German.

(2) Previous experience as a Librarian in some standard library for at least one year.

Technical : Must possess a qualifying licence for driving cars and heavy vehicles with at least three years experience in driving. Should also possess routine technical knowledge of machinery.

(c) Period of probation, if any.

Six months.

One year

One year.

(8) For transfer only :

(a) Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by transfer.

Age limits do not apply. But the minimum educational qualifications prescribed for direct recruitment do apply.

..

Only maximum age limit will not apply.

(b) Grades/Sources from which promotions/Transfers are to be made.

From among the staff of other Ministries and attached offices participating in Central Secretariat Service.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 16th March 1959

G.S.R. 345.—In exercise of the powers conferred by sub-section (i) of section 35 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following further amendments in the Rules for the Port of Vizagapatam, published with the notification of the Government of India in the late Department of Commerce No. 222-P&L/33(VI), dated the 30th September, 1933 as subsequently amended, namely:—

(1) In rule 6 relating to fees for the supply and use of cranes of the said rules, after item (V), the following items shall be inserted, namely:—

“(vi) (a) 22-1/2 Ton Crane:—Rs. 36/- per hour or part thereof subject to a minimum charge of Rs. 72/-.

(b) *Trailer and truck forming one unit*:—Rs. 10/- per trip inclusive of its movement from one place to another within a distance of one mile.

(vii) 30 Ton Scotch Derrick Crane:—Rs. 40/- per hour or part thereof subject to a minimum charge of Rs. 80/-.”

(2) In rule 11 relating to fees for the use of the port launches, lighters, Barges and Mooring Boats of the said rules, after item 8, the following item shall be inserted, namely:—

“9. 30 Ton Floating Crane:—Rs. 75/- per hour subject to a minimum of Rs. 225/- per engagement inclusive of all towage and placement in position.”

[No. F. 17B-PG(17)/58]

Miss I. IINDIRA, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 11th March 1959

G.S.R. 346.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Rice (Southern Zone) Movement Control Order, 1957, namely:—

Amendment

In the said Order, for paragraph (a) of the second proviso to clause 3, the following paragraph shall be substituted, namely:—

“(a) (i) import seed paddy not exceeding ten maunds for bona fide agricultural purposes, or

(ii) import rice, being the produce of his own land situated in a State outside the Southern Zone, for bona fide consumption by himself and the members of his family,

under and in accordance with a permit issued by the State Government concerned; or”

[No. 204(SRZ)(1)/282/59-PY II.]

S. N. BHALLA, Dy. Secy.

The Gazette of India



PUBLISHED BY AUTHORITY

No. 13]

NEW DELHI, SATURDAY, MARCH 28, 1959/CHAITRA 7, 1881

NOTICE

The undermentioned Gazette of India Extraordinary was published upto the 18th March, 1959 :-

Issue No.	No. and date	Issued by	Subject
42.	G.S.R. 347, dated 18th March, 1959.	Ministry of Food and Agriculture.	Further amendment in the Inter-Zonal Wheat Movement Control Order, 1957.
	G.S.R. 348, dated 18th March, 1959.	Do.	Further amendment in the Calcutta Wheat (Movement Control) Order, 1956.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 20th March 1959

G.S.R. 349.—In exercise of the powers conferred by section 26 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby directs that the powers exercisable by it under section 15(1) of the said Act shall be exercisable also by the Administrator of a Union Territory, subject to the condition that no rules made by the Administrator in exercise of the aforesaid powers shall have effect in so far as they are repugnant to any rules made under the said section by the Central Government.

[No. F. 2/6/58-J.II.1]

K. R. PRABHU, Dy. Secy.

MINISTRY OF FINANCE**(Department of Revenue)****CENTRAL EXCISES***New Delhi, the 21st March 1959*

G.S.R. 350.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Central Excise Rules, 1944, namely:—

In Appendix I to the said Rules, in Form R.G. 17 (Central Excise Series No. 55-A), for the words "Tea not otherwise specified" occurring in the heading of columns 13 and 14, 17 and 18, 21 and 22, and 25 and 26, the words "Tea, all varieties except package tea" shall be substituted.

[No. 34/59.]

S. K. BHATTACHARJEE, Dy. Secy.**MINISTRY OF COMMERCE AND INDUSTRY****(Department of Company Law Administration)***New Delhi, the 17th March 1959*

G.S.R. 351.—In exercise of the powers conferred by the proviso to sub-section (1) of section 594 of the Companies Act, 1956 (1 of 1956), and in partial modification of the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) S.R.O. 3216, dated the 4th October, 1957, the Central Government hereby directs that the requirements of clause (a) of sub-section (1) of section 594 shall apply to the Church of England Zenana Missionary Society (hereinafter referred to as "the company"), being a foreign company, subject to the following exceptions and modifications, namely:—

It shall be deemed sufficient compliance with the provisions of clause (a) of sub-section (1) of the said section 594, if, in respect of the period ending after the 31st December, 1956, the company submits to the appropriate Registrar of Companies in India, in triplicate—

- (i) a copy of the authenticated balance sheet and profit and loss account (including documents relating to every subsidiary of the company) as submitted by it to the prescribed authority in the United Kingdom under the provisions of the law in that country; and
- (ii) a list of property, moveable and immoveable, held by the company in India as on the date on which the balance sheet is made out.

[No. F.15/16/58-PR.]

G.S.R. 352.—In exercise of the powers conferred by the proviso to sub-section (1) of section 594 of the Companies Act, 1956 (1 of 1956), and in partial modification of the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) S.R.O. 3216, dated the 4th October, 1957, the Central Government hereby directs that the requirements of clause (a) of sub-section (1) of the said section shall apply to the Manufacturers Life Insurance Company (hereinafter referred to as the company), being a foreign company, subject to the following exceptions and modifications, namely:—

It shall be deemed sufficient compliance with the provisions of clause (a) of sub-section (1) of the said section 594, if, in respect of the financial years ending on or after the 31st day of December, 1957, the company submits to the appropriate Registrars of Companies in India, in triplicate—

- (i) a copy of the authenticated balance sheet and profit and loss account (including documents relating to every subsidiary company) as submitted by it to the prescribed authority in the country of its incorporation under the provisions of the law in that country;

- (ii) a statement of its assets and liabilities in India certified by two directors of the company and a person authorised to accept service of process in India under clause (d) of sub-section (1) of section 592 of the said Act; and
- (iii) a summary of receipts and payments in India, signed by two directors of the company and a person authorised to accept service of process in India under clause (d) of sub-section (1) of section 592 of the said Act.

[No. F.15/17/58-PR.]

T. S. MENON, Under Secy.

TEA CONTROL

New Delhi, the 20th March 1959

G.S.R. 353.—In exercise of the powers conferred by section 49 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following amendments in the Tea Rules, 1954, the same having been previously published as required by sub-section (1) of the said section, namely:—

In the said rules—

I. in rule 30A, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(3A) Subject to the limitations set out in section 13 of the Act, nothing in sub rule (2) or clause (b) of sub-rule (3) shall apply to the grant of permits for the purpose of establishment and extension of tea seed baris.”.

II. after rule 30A, the following rule shall be inserted, namely:—

“30B. Establishment and Extension of Tea Seed Baris.—Notwithstanding anything contained in rules 30 and 30A, any person desirous of establishing or extending tea seed baris shall apply separately to the Board in writing and the Board may grant or refuse the permission applied for or may grant it in part only, as it may think fit.

Explanation.—In this rule, “tea seed bari” means an area planted with the plant *Camellia Sinensis (L.) O. Kuntze* for the sole purpose of growing seeds used for propagating the plant and not used for any other purpose, save with the permission of the Board”.

[No. 8(8)Plant(A)/58.]

A. J. KIDWAI, Dy. Secy.

[Plantation (A) Section]

ORDER

New Delhi, the 18th March 1959

G.S.R. 354.—In exercise of the powers conferred by sub-sections (3) and (5) of section 30 of the Tea Act, 1953 (29 of 1953), the Central Government hereby makes the following Order, namely:—

1. **Short title and commencement.**—(1) This Order may be called the Tea Waste (Control) Order, 1959.

(2) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

- (a) “Act” means the Tea Act, 1953 (29 of 1953);
- (b) “licence” means licence granted under this Order;
- (c) “licensee” means any person holding a licence;
- (d) “licensing authority” means the Chairman or any other officer of the Board specified in this behalf by the Central Government;

- (e) "offer for sale" includes an intimation by a person of a proposal by him for the sale of any tea waste made by the publication of a price-list or by exposing the tea waste for sale or by communication of the price thereof by furnishing a quotation or otherwise howsoever; and
- (f) "tea waste" means tea sweepings, tea fluff, tea fibre, tea stalks or the like other than tea or tea seed.

3. Persons exporting, selling, purchasing, storing tea waste to obtain licences.— With effect from such date as may be fixed by the Central Government by notification in the Official Gazette in this behalf, no person shall export, sell, offer for sale, buy or hold in stock any tea waste except under and in accordance with the terms and conditions of a licence granted to him under this Order.

Provided that nothing in this clause shall apply to the holding in stock, by the manufacturer, of tea waste produced during the normal course of manufacture of tea:

Provided further that the tea waste, before it is so exported, sold or held in stock, shall be denatured by the admixture of not less than five per cent, slack lime or such other denaturants as may be specified by the Board in this behalf from time to time.

4. Manner of disposal of tea waste.— With effect from the date referred to in Clause 3 no person shall dispose of any tea waste except in the following manner, namely:—

- (a) by sale to any person holding a licence;
- (b) by exports;
- (c) by utilising it in the manufacture of caffeine;
- (d) by destruction, by burning or by conversion as compost in accordance with any procedure laid down under any excise law for the time being in force.

5. Application for licence.— Every person desiring to obtain a licence shall make an application in duplicate to the licensing authority in Form A annexed to this Order.

6. Grant or refusal of licence.— (1) The licensing authority may by Order, for reasons to be recorded, refuse to grant a licence to any applicant and shall, as soon as possible, serve him with a copy of the order.

(2) Where an application for licence is not refused under sub-clause (1), the licensing authority shall grant the applicant a licence in Form B annexed to this Order and every such licence shall be subject to the terms and conditions contained therein.

7. Period of validity of licence.— Every licence shall, unless previously cancelled, be in force until the 31st December next following.

8. Renewal of licence.— (1) The licensing authority may, on application made to it in duplicate, renew a licence. Every such application and the certificate of renewal shall be in Form C annexed to this Order. Every renewed licence shall be valid up to the 31st December next following.

(2) No application for renewal shall be refused unless the applicant has been given an opportunity of being heard and reasons for such refusal are recorded in writing. The applicant shall, as soon as possible, be served with a copy of the order of refusal.

9. Restriction on transfer of licence.— (1) No person shall transfer any licence granted to him under this Order.

(2) Notwithstanding anything contained in sub-clause (1), a licensee may admit any other person or persons as a partner or partners in the business covered by the licence and where he does so, he shall get the licence amended by the licensing authority accordingly as soon as possible.

Provided that he shall not take a partner who has been refused a grant or renewal of a licence for any serious and material irregularities.